

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of Delaware

WALTER PHILLIPS, On Behalf of Himself and  
All Others Similarly Situated,

Plaintiff,

V.

SUMMONS IN A CIVIL CASE

MOLSON COORS BREWING COMPANY,  
PETER H. COORS, W. LEO KIELY III,  
CHARLES M. HERINGTON, FRANKLIN W.  
HOBBS, RANDALL OLIPHANT, PAMELA  
PATSLEY, WAYNE SANDERS, ALBERT C.  
YATES, and JOHN DOES 1-30,  
Defendants.

CASE NUMBER: 05 - 604

TO: (Name and address of Defendant)

Charles M. Herington  
c/o Corporation Service Company  
2711 Centerville Road, Suite 400  
Wilmington, DE 19808  
Pursuant to 10 Del. C. §3114

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Robert R. Davis  
One Rodney Square  
P.O. Box 1035  
Wilmington, DE 19899

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

AUG 17 2005

CLERK

DATE

  
(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

## RETURN OF SERVICE

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE <b>August 22, 2005</b>
NAME OF SERVER (PRINT) <b>Danny P. Randolph, Jr.</b>	TITLE <b>Process Server</b>
Check one box below to indicate appropriate method of service	

☐ Served personally upon the defendant. Place where served: \_\_\_\_\_

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: \_\_\_\_\_

☐ Returned unexecuted: \_\_\_\_\_

☒ Other (specify): Served: Charles M. Herington, c/o Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808. Copies thereof were accepted by Mary T. Drummond at 11:20 a.m.

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
--------	----------	-------

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

8/23/05  
Date

Signature of Server

Danny P. Randolph  
**Chimicles & Tikellis LLP**  
**One Rodney Square**  
**Wilmington, DE 19899**

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.